

August 28, 2012

VIA ECF

Hon. Sandra J. Feuerstein
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722


Re: Cordero, et. al. v. New York Institute of Technology, 12-CV-3208 (SJF)(GRB)

Dear Judge Feuerstein:

We are counsel to the defendant New York Institute of Technology ("NYIT") in the above-referenced action. Enclosed please find a fully executed stipulation extending the time within which NYIT shall answer, move, or otherwise respond to the complaint to and including September 5, 2012. Two prior requests for an extension have been made and were granted. NYIT agrees that it will not seek any further extensions of time to respond to the complaint.

We respectfully request that the Court grant the extension and "So Order" the stipulation.

Respectfully submitted,

 (s)

Douglas P. Catalano

DPC

Enclosure

cc: Douglas H. Wigdor, Esq. (via ECF)

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Attorneys for Defendant New York Institute of Technology

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

DANIEL CORDERO, KELLY HYDE
and KEVIN HYDE, on behalf of themselves
and all other similarly situated individuals,

Plaintiffs,

12-CV-3208

vs.

NEW YORK INSTITUTE OF
TECHNOLOGY

STIPULATION

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the respective parties, that the time within which defendant New York Institute of Technology shall answer, move, or otherwise respond with respect to the complaint is extended to and including September 5, 2012;

IT IS FURTHER STIPULATED AND AGREED that the period of limitations, if applicable to any putative plaintiff who may opt-in to this action pursuant to Section 216(b) of the Fair Labor Standards Act, shall be tolled for the period between July 23, 2012 and the date


that defendant New York Institute of Technology answers, moves, or otherwise responds to the complaint; and

IT IS FURTHER STIPULATED AND AGREED that execution of this stipulation by facsimile will be deemed an original.


Dated: New York, New York
August ~~28~~ 2012

THOMPSON WIGDOR LLP

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SO ORDERED:
